

APPENDIX A – PUBLIC COMMENT SUMMARY AND AGENCY RESPONSES

A.1 READER’S GUIDE

HOW IS THIS APPENDIX ORGANIZED?

The Response to Comments contains three main sections. The first section provides a brief introduction and an overall summary of the process of soliciting, receiving and evaluating comments on the Draft EIS. Section 1 also includes a table to assist the reader in finding specific comment letters, facsimiles, and e-mails (henceforth, collectively referred to as comment letters). Table A-1 contains a listing of the comment letters received on the Draft EIS. Each comment letter received was assigned an alphanumeric identification code. Additional information in Table A-1 includes the name of the applicable organization or individual, address, date of receipt, and a listing of substantive comments identified for each comment letter. Section 2 contains facsimiles of letters from Federal, State, and local agencies. All other comment letters are part of the project files and are available to the public upon request. Section 3 contains comments arranged by category or resource discipline, and the agency response to each comment. Please note that Section 3 responds to substantive comments in all the letters received, not just the comment letters found in Section 2.

HOW DO I KNOW THE BUREAU OF LAND MANAGEMENT RECEIVED MY LETTER?

All letters received by the BLM during the comment period for the Draft Environmental Impact Statement (DEIS) are listed in Table A-1. If your name appears in Table A-1, your letter was received. This table can be used to find your name (or organization's name), the identification number of your letter, and the comments that received responses. The identification number can also be used to locate responses to your letter in Section 3.

HOW DO I FIND MY COMMENT?

A specific comment letter and associated responses can be located by looking up the author(s) of that letter in Table 1, then using it's assigned identification number to locate the associated comments in Section 3 of this document.

WHAT OTHER COMMENTS WERE MADE THAT WERE SIMILAR TO MINE?

Similar comments made with respect to resource disciplines are grouped together in the responses in Section 3. In some cases very similar comments were combined so that there would not be too much redundancy in Section 3.

WHAT WAS THE RESPONSE TO MY COMMENT?

Agency responses to the identified comments are grouped by resource discipline in Section 3.

HOW DO I FIND WHAT COMMENTS ANOTHER INDIVIDUAL, GROUP, ORGANIZATION HAD?

Table A-1 contains a listing by agency, group, and individual. Once the agency, group, or individual is located in Table A-1, the comment can then be identified in Section 3. A listing of the comment letters containing that comment in Section 3 also follows each comment.

A.2 PUBLIC COMMENT SUMMARY

The main function of this appendix is to provide the BLM's response to comments received on the DEIS. The following discussion explains how the comments were solicited on the DEIS and how those comments were processed. A detailed list of persons, organizations, or agencies submitting comments on the Draft EIS is presented in this section. The Reader's Guide at the front of this appendix has also been provided to assist the reader in understanding how to find their comments and the agency responses to their comments.

The comments on the DEIS that were used to prepare the Final EIS followed the National Environmental Policy Act (NEPA) (1969, as amended) and a process established by the Council on Environmental Quality (CEQ) regulations, which provide that agencies must "(m)ake diligent efforts to involve the public in ... NEPA procedures" (40 CFR 1506.6(a)). Although this appendix deals primarily with the comments received on the Draft EIS, the reader should also be aware that public involvement preceded the release of the DEIS, which included comments on the scope of issues that should be addressed in this EIS document.

PUBLIC SCOPING

Preparation of the DEIS that preceded this Final EIS included soliciting comments from other agencies and the public to determine the scope of the document. NEPA (1969, as amended) requires that early public involvement in the EIS process be used to identify issues and address any potentially significant concerns related to the proposed action. Public and agency involvement continued in various ways throughout this EIS process. The purpose and need, identification of important issues and concerns by the public and other agencies, and description of the proposed action are discussed in Chapters 1 and 2 of the Final EIS. Public and agency input was extremely important in formulating the scope and content of the DEIS. However, scoping prior to the preparation of the DEIS should not be confused with the comments received on the Draft EIS.

PUBLIC AND AGENCY MEETINGS

Following the release of the DEIS, a public meeting was held in Salt Lake City, UT on September 4, 2003 to explain the NEPA process, to receive comments regarding the DEIS, and to answer any questions related to the proposed action and alternatives.

COMMENT PROCEDURE

The Notice of Availability for the Resource Development Group Uinta Basin Natural Gas Project DEIS was published in the Federal Register on August 8, 2003. The 45-day comment period was scheduled to end on September 22, 2003, although agency comment letters were accepted after that date.

Those receiving a full or summary copy of the Draft EIS and/or attending the public meeting were given instructions on how to provide comments and where they should be sent. They were advised that comments should be as specific as possible in terms of adequacy of the DEIS and/or merits of the alternatives discussed. Individuals that submitted oral comments either by phone or at the public meeting were advised that in order for the comment to be considered and included in the document, it would have to be submitted in writing. Comment forms were provided at the September 4th public meeting.

All comment letters were copied and sent to a third-party consultant where they received an alphanumeric identification code and were placed in the project planning record in alphabetic order. The full text of each comment letter, facsimile, or e-mail received from individuals or groups are in the Resource Development Group Uinta Basin Natural Gas Project EIS project files at the Vernal Field Office in Vernal, Utah, and may be viewed upon request. Letters received from Federal, State, and local agencies and elected officials are included in Section 2 of this appendix. Comments from each response were identified and organized into resource or discipline categories. Those comments that were identical or very similar were grouped together under a summary of the issue or concern raised. Section 3 includes each comment or summary of comments organized into theme categories, a listing of the comment letter(s) containing that specific comment, and the associated response to the comment.

Consistent with NEPA regulations (40 CFR 1503.4(b)), this document focuses on substantive comments on the DEIS. Substantive comments include those that challenge the information in the Draft EIS as being accurate or inaccurate, or that offer specific information which may have a bearing on the decision. Comments that merely express an opinion for or against the proposed action were not identified as a comment requiring a response. In cases where the comment was substantive but appeared to indicate that information in the DEIS was either misunderstood or unclear, a response was prepared to clarify the information. Resource specialists from the third-party consultant prepared draft responses to each substantive comment, which were then reviewed and approved by BLM personnel and subsequently prepared in the form found in this Final EIS.

Table A-1 provides an index of agencies, organizations and individuals that commented on the DEIS. It also includes a letter code, name of commenter or organization, date the comment letter was received by the BLM, and a list of numbered comments contained in the respective letter.

Table A-1. List of Respondents

ID	Respondent(s)	Received	Delivered	Comments
RDG-001	Hopi Tribe	08/10/2003	Mail	CR-1
RDG-002	Mark Belles	08/11/2003	Mail	MT-1, WC-1, WC-2
RDG-003	Garth Portillo	08/15/2003	E-mail	NP-1, NP-2, CR-2
RDG-004	State Historic Preservation Office	08/19/2003	Mail	NP-3
RDG-005	Christopher Biltoft	09/04/2003	Comment card	MT-1
RDG-006	Anonymous	09/04/2003	Comment card	<i>No substantive comments</i>
RDG-007	Anonymous	09/04/2003	Comment card	WL-1, WC-3
RDG-008	Mule Deer Foundation	09/09/2003	Fax	AT-1, WL-1, WL-2, WL-3, WL-4
RDG-009	Christopher Biltoft and Mary Fleming	09/12/2003	Mail	AT-2, MT-1, SW-1, VG-1, WC-4
RDG-010	William Ryan	09/22/2003	E-mail	NP-1, NP-2, NP-4, NP-5, PN-1, PN-2, PN-3, PN-4, PN-5, PN-6, PN-7, AT-3, AT-4, AT-5, AT-6, AT-7, AT-8, AT-9, AT-10, AT-11, AT-12, MT-2, MT-3, MT-4, MT-5, MT-6, MT-7, MT-8, MT-9, MT-10, MT-11, MT-12, MT-13, MT-14, MT-15, MT-16, MT-17, MT-18, MT-19, MT-20, MT-21, MT-22, MT-23, MT-24, MT-25, GM-1, WR-1, WR-2, WR-3, WR-4, WR-5, WR-6, AQ-1, SW-2, WT-1, WL-5, WL-6, WL-7, WL-8, WL-9, WL-10, SS-1, SS-2, CR-3, PR-1, RC-1, WC-5, SE-1, SE-2, MS-1, MS-2
RDG-011	School and Institutional Trust Lands Administration	09/22/2003	Fax	WC-5
RDG-012	Pruitt, Gushee & Bachtell (Rosewood Resources, Inc.)	09/22/2003	Fax	NP-1, NP-2, NP-5, NP-7, AT-5, AT-6, AT-8, AT-11, AT-18, AT-19, AT-20, AT-21, MT-5, MT-6, MT-7, MT-11, MT-13, MT-15, MT-18, MT-29, MT-30, MT-31, MT-32, MT-33, MT-34, MT-35, MT-36, WR-4, AQ-1, WL-9, WL-13, SS-6, SS-7, CR-7, WC-5
RDG-013	Southern Utah Wilderness Alliance	09/22/2003	Fax	NP-8, NP-11, NP-12, NP-13, NP-14, NP-15, PN-9, AT-2, MT-26, MT-37, MT-38, MT-39, SW-3, SS-3, SS-4, SS-5, RC-3, RC-4, SE-3, SE-4, SE-5, MS-5, MS-6
RDG-014	Lear & Lear, LLC (Dominion Exploration & Production)	09/22/2003	Fax	NP-1, NP-2, NP-4, PN-4, PN-7, AT-4, AT-6, AT-7, AT-8, AT-12, MT-3, MT-6, MT-7, MT-9, MT-11, MT-12, MT-20, MT-21, MT-22, MT-23, MT-25, WR-4, WL-6, WL-8, SS-1,

Table A-1. List of Respondents

ID	Respondent(s)	Received	Delivered	Comments
				SS-2, WC-5, SE-1
RDG-015	Uintah County	09/22/2003	By hand	NP-2, NP-4, NP-6, NP-7, PN-7, MT-6, MT-18, MT-25, RC-1, WC-5, SE-2, MS-3, MS-4
RDG-016	Center for Native Ecosystems	09/22/2003	E-mail	NP-8, MT-26, SS-3, SS-4, SS-5
RDG-017	McElvain Oil & Gas Properties, Inc.	09/22/2003	E-mail	NP-1, NP-2, NP-9, NP-10, PN-3, AT-5, AT-6, AT-8, AT-13, AT-14, AT-15, MT-7, MT-9, MT-20, MT-21, MT-27, WR-4, WR-5, AQ-1, CR-3
RDG-018	U.S. Geological Survey	09/24/2003	E-mail	AT-16, AT-17, WR-7, WR-8, WR-9, WR-10, WR-11, WR-12
RDG-019	National Trust for Historic Preservation	09/25/2003	Fax	NP-3, NP-7, NP-11, CR-4, CR-5, CR-6
RDG-020	U.S. Environmental Protection Agency	09/29/2003	Mail	PN-8, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, AQ-7, AQ-8, AQ-9, AQ-10, AQ-11, AQ-13, AQ-14, WT-2, WC-6,
RDG-021	State of Utah, Governor's Office	11/06/2003	Fax	MT-28, AQ-12, WL-1, WL-11, RC-2

Public Comment Categories

NEPA Process	NP	Special Status Species	SS
Purpose and Need	PN	Cultural Resources	CR
Alternatives	AT	Paleontological Resources	PR
Mitigation	MT	Land Use	LU
Geology/Minerals	GM	Livestock Management	LM
Water Resources	WR	Recreation	RC
Air Quality	AQ	Visual Resources	VR
Soils/Watershed/Floodplains	SW	Wilderness Characteristics	WC
Vegetation	VG	Socioeconomics	SE
Riparian/Wetland Areas	WT	Noise	NO
Wildlife	WL	Miscellaneous	MS

PUBLIC COMMENTS AND RESPONSES

NEPA PROCESS (NP) COMMENTS

NP-1

Comment: The EIS should be updated to reflect current operators, define the relationship between operators and BLM, and describe the purpose and role of RDG. (003, 010, 012, 014, 017)

Response: The BLM acknowledges that RDG is not a legal entity and was organized solely as a means to facilitate funding of the initial EA. Any language in the DEIS that represented RDG as a decision-making entity with legal authority to bind any of the proponents is incorrect. All such references have been removed from the Final EIS and Section 1.1 has been rewritten to clarify this relationship and update proponent information.

NP-2

Comment: The Programmatic Agreement must be signed by current operators, tribal representatives for tribal lands that fall within the affected environment, Utah SHPO, BLM, and the Advisory Council on Historic Preservation prior to a final decision (ROD) on the EIS. (003, 010, 012, 014, 015, 017, 019)

Response: The Programmatic Agreement is not included as part of the Final EIS, which negates the need for signatures by all parties. All references to the Programmatic Agreement and the "Cultural Resources Management Plan" have been removed from the Final EIS. All cultural resources concerns will be addressed at the site-specific level as part of the Application for Permit to Drill (APD) NEPA process and related Section 106 compliance work.

NP-3

Comment: As a consultation document for Section 106 compliance, the draft Programmatic Agreement should be updated to reflect extensive comments made by the Advisory Council, SHPO, and BLM State Office. The Advisory Council cannot complete its review and execute the PA until it receives the information requested in its May 16, 2002 letter to the Vernal Field Office. (004, 019)

Response: Please see the response to NP-2. Because it is not be included as part of the Final EIS, the Advisory Council, SHPO, and BLM State Office will not need to complete their reviews.

NP-4

Comment: The EIS must include a review of the document's history, including a discussion of the initial failed EA, the State Director's Review, items appealed, and responses. A timeline detailing these events should be provided in the document. (010, 014, 015)

Response: The BLM has added information to Section 1.1 to clarify the administrative history of the EIS.

NP-5

Comment: Unlike an EA, an EIS does not require all environmental impacts to be mitigated. The BLM must determine if the current operators support the Applicant Committed Measures as presented in the DEIS. (010, 012)

Response: Since initiating this EIS, several of the original operators and/or leaseholders in the project area have changed. BLM has contacted these new operators/leaseholders as to their level of involvement with the proposal. The Final EIS discloses the new operators and reflects the outcome of BLM's discussions with them regarding this project.

NP-6

Comment: The Archeological and Paleontological Memorandum of Agreement has not been signed by the BLM and operators, contrary to what is stated in the DEIS. The plan and all references to it must be removed from the document. (015)

Response: Please see the response to Comment NP-2. Because the Programmatic Agreement will not be included as part of the Final EIS, the BLM and other consulting parties will not need to complete their reviews.

NP-7

Comment: The DEIS must comport with the requirements, findings, and land use planning of the Book Cliffs RMP. The BLM cannot compel operators to implement any additional measures, requirements, actions, or inactions not found in the existing RMP. (010, 012, 015, 019)

Response: The EIS does comport with the land use planning decisions found in the Book Cliffs Resource Management Plan (BCRMP) ROD. BLM mitigation measures are designed to keep direct, indirect, and cumulative impacts for the projected level of development in the project area from exceeding those disclosed in the BCRMP. Alternatives that include more restrictive mitigation measures were analyzed along with the proposed action to help BLM consider a full range of alternatives to balance and address resource conflict issues.

NP-8

Comment: The DEIS is not accompanied by a Biological Assessment and there is no determination as to whether the alternatives analyzed "may affect" listed species. Table 3-7 suggests the following listed species may be affected: bald eagle, southwestern willow flycatcher, and Mexican spotted owl. (013, 016)

Response: USFWS was involved from the beginning stages on the development of the RDG EIS. Formal consultation was initiated August 1, 2003. The biological assessment is included in Appendix B in the Final EIS.

NP-9

Comment: The document needs to explain why the regulatory agencies deemed this proposal a "major federal action" (017)

Response: CEQ regulations (1508.18) define a "Major Federal action" as "actions with effects that may be major and which are potentially subject to Federal control and responsibility." This means that proposed actions that include projects and programs entirely or partly financed,

assisted, conducted, regulated, or approved by Federal agencies that may potentially have significant environmental effects on the human environment trigger NEPA and the subsequent environmental analysis and documentation required by the Act.

NP-10

Comment: All references to the "Cultural Resources Management Plan" should be removed from the document due to the fact that it doesn't exist in the DEIS and is not available for review. (017)

Response: Please see the response to comment NP-2. The Cultural Resources Management Plan was incorporated in the DEIS as Appendix A, which contained the entire Programmatic Agreement. However, the Programmatic Agreement has been removed from the Final EIS and all references to the "Cultural Resources Management Plan" have been deleted from the Final EIS.

NP-11

Comment: As the proposed action does not conform to the existing RMP, the EIS should provide information required by FLPMA for amending the RMP. Currently the document is insufficient to act as an amendment, it therefore violates FLPMA. The analyses should also conform to the criteria outlined in Manual 1624—Supplemental Program Guidance for Energy and Mineral Resources and Handbook H-1624-1: Planning for Fluid Mineral Resources. (013, 019)

Response: The proposed action is in conformance with the existing BCRMP and does not require an amendment to the plan. The BLM defines conformance as "clearly consistent with the goals, objectives, or standards of the approved land use plan." An amendment to the BCRMP would only be required if the BLM were changing the oil and gas leasing categories as indicated by BLM's regulations implementing FLPMA:

An amendment shall be initiated by the need to consider monitoring and evaluation findings, new data, new or revised policy, a change in circumstances or *a proposed action that may result in a change in the scope of resource uses or a change in the terms, conditions and decisions* of the approved plan. (43 CFR § 1610.5–5, emphasis added)

Based on these categories in the BCRMP the BLM completed a "Reasonably Foreseeable Development" scenario (RFD) to assist in the analysis of the leasing process. An RFD is intended to cover leasing and some level of exploration. A RFD may be updated at any time and does not require a plan amendment, as it is considered a technical report and not a planning decision (IM-2004-089, Attachment 1). Once the BLM determines that an area has moved beyond exploration and will go to full development, an EA or EIS is completed to cover that projected level of development and analyze cumulative impacts.

Thus, the EIS was not intended to serve as an amendment to the BCRMP. As an aid to analyzing cumulative effects, the EIS does update the RFD (see Chapter 5).

Further, in BLM Instruction Memorandum (IM) No. 2004-110, Fluid Mineral Leasing and Related Planning and National Environmental Policy Act (NEPA) Processes, dated 04/01/2004, it states:

Fluid mineral leasing allocation decisions are made at the planning stage. The EIS associated with the RMP is intended to meet the NEPA requirements in support of leasing decisions. A determination of adequacy of the NEPA document is required in conformance with chapter III of the NEPA Handbook H-1790-1 and related NEPA instruction memoranda. Preparation of another NEPA document, plan amendment or additional activity planning is not normally required prior to issuance of an oil and gas or a geothermal lease, except as discussed below.

Additional NEPA documentation would be needed prior to leasing if there is significant new circumstances or information bearing on the environmental consequences of leasing not within the broad scope analyzed previously in the RMP/EIS. Additional NEPA analysis should be completed according to BLM manual handbooks H-1790-1, H-1601-1 (with revisions), and H-1624-1.

Further, in IM-2004-089, Attachment 1, Policy for Reasonably Foreseeable Development (RFD) Scenario for Oil and Gas, dated 01/16/2004, it states:

The fact that the total number of wells in an area may exceed the total number of wells projected in the selected alternative does not automatically mean that a supplement to the NEPA document or a revision or amendment to the RMP is necessary. It is possible that exceeding the number of wells projected in the selected alternative may not result in exceeding the predicted level of environmental effects. Mitigation of environmental effects through successful reclamation, clustering wells on shared well locations, and minimizing pad and road construction can prevent the level of impacts from substantially exceeding the impacts analyzed in the original RMP/EIS or other NEPA documentation.

Since the proposed action with associated mitigation does not substantially exceed the impacts originally analyzed in the BCRMP, a formal amendment is not necessary.

NP-12

Comment: The DEIS violates NEPA by failing to fully consider reasonable alternatives to the proposed project. The BLM must consider reasonable alternatives even if the project proponent does not prefer such alternatives. BLM wrongly dismissed a "directional drilling" alternative. Was an independent analysis conducted regarding the proponent's claims that the alternative was not feasible? The BLM also wrongly dismissed an alternative that would preclude new wells in citizen proposed wilderness areas. The lease exchange alternative could also be easily evaluated by specifying a location for leases to be exchanged. All of these alternatives should be fully analyzed. (013)

Response: CEQ regulations at 1502.14(a) require BLM to objectively evaluate all reasonable alternatives. "Reasonable" is used as meeting the purpose and need, while ensuring sensitive resource values are protected and/or mitigated. No substantive data was presented during the public comment period that demonstrated BLM's development and rationale for alternative development was in error. The EIS presents a brief discussion and rationale for each alternative eliminated from further analysis, including a directional drilling option. BLM petroleum engineers and geologists provided the independent analysis and review of the directional drilling alternative (Section 2.5).

For the citizen-proposed wilderness areas, the DEIS is in conformance with the BLM's existing 1985 BCRMP, which did not address wilderness. The resource values, wilderness characteristics, associated with externally-nominated wilderness areas have been analyzed in this document.

An alternative to exchange oil and gas leases in Utah Wilderness Coalition (UWC) proposed wilderness areas for oil and gas leases located outside the UWC proposed areas was considered. Several variations of this alternative involve exchanging assets inside the UWC proposed areas for assets on other public lands in Utah, other states, or federal holdings offshore. There are several reasons why this alternative is not separately analyzed in detail in this document. If an exchange were to occur, the impacts within the UWC proposed areas would be the same as the No Action alternative because no drilling would be performed under current leases. The No Action Alternative is analyzed in detail. Moreover, it would be impossible to analyze the impacts of exploration and development at other sites involved in an exchange because the identity of such sites is speculative.

In addition, under existing exchange authority, the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1716(b) FLPMA) exchanged assets must be located in the same state. If lessees were only interested in exchanging for assets located outside Utah, legislation would be required to effect an exchange. FLPMA also requires that such exchanges must be for equal value assets. This means that the value of leases within the UWC proposed areas would need to be established through an appraisal process or a determination of "sunk costs" (acquisition, exploration, administrative or other similar costs) and the assets proposed for exchange be similarly appraised. Such an appraisal would be extremely difficult to achieve since the assumed value of these leases is highly speculative.

NP-13

Comment: Alternatives 1-3 violate NEPA and FLPMA by limiting reasonable alternatives available in the ongoing Vernal RMP process. Regulations implementing NEPA prohibit actions that limit the BLM's choice of reasonable alternatives in an ongoing planning process. Actions that "prejudice the ultimate decision" are also precluded. Selecting Alternatives 1-3 would prejudice the ultimate decision because it would pre-determine levels of gas-development, preclude areas of the project area from being reclassified as VRM Class II, and allow a fundamental change in the character of the project area. In light of BLM's ongoing RMP process, Alternatives 1-3 must be dismissed. (013)

Response: Alternatives 1-3 do not limit the consideration of a reasonable range of alternatives in the current Vernal RMP process. They are in conformance to the leasing category allocation analyzed and provided for by the current RMP. The BLM is required to follow the existing RMP until the new RMP is put into effect.

NP-14

Comment: Because FLPMA mandates that BLM "give priority to the designation and protection of ACECs, the agency must make finalized ACEC determinations in this area before it can consider whether to allow the proposed action to move forward. SUWA provided BLM with two ACEC nominations in comments on the new Vernal RMP. These nominations need to be addressed in the document. (013)

Response: The RDG proposal and alternatives presented in the EIS are in conformance with the 1985 BCRMP. Consideration of ACECs is contained within the revised RMP, currently in development and is out of the scope of the RDG EIS and Decision. The resource values, forming the basis for ACECs considered in the revised RMP, are analyzed as appropriate in this EIS.

NP-15

Comment: The DEIS addresses a level of development and tentative locations, rather than particular actions of development with particular, definitive results. It would appear that the intent of the plan is to simply open the area to oil and gas development, without any specific knowledge about the resources that are there. (013)

Response: It is common practice and appropriate to use a programmatic approach when analyzing environmental effects of proposed actions that are demonstrably similar and impact the same resources. Natural gas drilling and development procedures are well established and understood in the region. Site-specific Environmental Assessments will be tiered under the programmatic EIS and will be required for individual well pad siting (40 CFR 1502.20).

PURPOSE AND NEED (PN) COMMENTS

PN-1

Comment: Additional information needs to be provided on the number of APDs pending completion of the EIS. (010)

Response: There are 12 APDs that have been submitted within the boundaries of the RDG Project Area. The following paragraph from a May 21, 1999, memorandum from the Acting State Director to the Vernal Field Office Manager, provided guidance concerning the approval of APDs in the RDG Project Area prior to completion of the EIS on field development:

Therefore, APDs, ROWs and other permits applied for by RDG in the project area may be approved following a case-by-case review that leads to a determination that: (1) the proposed well is exploratory rather than development, (2) the activity would not limit the range of reasonable alternatives for the field development proposal, (3) the well has substantial independent utility and would be drilled with or without approval of field development, and (4) it would provide new information that would assist with NEPA analysis.

PN-2

Comment: The EIS should address the Executive Order requiring a statement on the negative impacts to oil and gas from the proposed project. (010)

Response: Though the commenter did not reference a specific Executive Order, the context of the comment implies that E.O. 13211 "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" may have been intended. E.O. 13211 requires that agencies prepare a Statement of Energy Effects for any significant energy action that "is likely to have a significant adverse effect on the supply, distribution, or use of energy." A "significant energy action" means any action by an agency that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking. The E.O. addresses negative impacts from the promulgation of agency rules, not specific projects, such as that proposed in the DEIS.

PN-3

Comment: In Section 1.4.1, the statement that lists members of the inspection team should be removed from the document, as the operator has often not yet selected a drilling and construction contractor at the time of the onsite inspection. (010, 017)

Response: The sentence in Section 1.4.1 was changed to read: "...the drilling and construction contractor or other designated representative of the lessee, and a surveyor."

PN-4

Comment: The document needs to quantify the number of wells that will be impacted by the lease stipulations and notices. Lease notice areas should also be designated on a map. (010, 014)

Response: The lease stipulation and notice areas for oil and gas development are clearly delineated in the BCRMP and have not changed.

PN-5

Comment: Section 1.6 Public Involvement/Scoping of Issues, should be expanded to include issues carried forward from the initial EA and those raised during the State Director Review. (010)

Response: Section 1.6 has been expanded to include issues mentioned during the State Director's review of the initial EA. Please also see the response to Comment NP-4.

PN-6

Comment: Columns 1 and 3 of Table 1-1 on page 1-10 of the DEIS need to be reworked. Column 1 needs to have the heading changed or items removed, as they are not all Permits or issuing agencies. Column 3 refers to "surface" or "ground" disturbance in several different ways. What constitutes surface disturbance needs to be defined and used consistently throughout the document. (010)

Response: The information in Table 1-1 has been restructured and separated into two tables to provide more clarity to the reader. The first table addresses regulatory compliance and lists agencies and legal mandates that would regulate the proposed action. The second table identifies the federal, state, and local permits that may be required for the project. Surface disturbance is defined differently under different regulations. For the purposes of this environmental analysis, surface disturbance is defined as the removal of vegetation or disturbance of the soil surface primarily due to activities that involve the use of heavy equipment or explosives off of established roads and trails.

PN-7

Comment: Remove several permits listed in Table 1-1 on page 1-10 of the DEIS. Under U.S. Department of Transportation, delete "Construction and Operation of Natural Gas Pipelines," as operators are not proposing any transmission lines. Remove "Encroachment Permit," as there are no state or federal highways in the project area. Under Utah Department of Environmental Quality, remove the "New Source Review Permit," as it is not required. Under Uintah County, the "Road Opening Permit," may or may not be required. The document does not show which roads are BLM's and which roads are the County's. Also, change "Carbon County" to "Uintah County" under Building Permit. (010, 014)

Response: "Construction and Operation of Natural Gas Pipelines" refers to P.L. 104-304, which requires DOT to develop and enforce minimum safety regulations for the transportation of gases by pipeline. The safety regulations in Title 49 of the CFR does not require gathering lines to comply with regulations for transmission lines except as provided in §§ 192.1 and 192.150 (49 CFR § 192.9). As this is not the case, BLM has removed this reference from Table 1-1.

Utah Department of Transportation (UDOT) requires an Encroachment Permit for any construction, maintenance, repair, operation, or use of any pole line, surface or subsurface line or other facility in the right-of-way. As there are no state roads in the project area, BLM has removed this reference from Table 1-1. Uintah County may require a Road Right-of-way Encroachment Permit for any affected county roads. County and BLM roads have been differentiated in the EIS.

The New Source Review (NSR) Permit would not likely be required based on analyses presented in Section 4.3.2 and has been removed from the table. Even if the all of the proposed wells were considered as a single source, the emissions were projected to fall below the 250 tons per year threshold needed for a Prevention of Significant Deterioration (PSD) preconstruction review and permit (Major NSR Permit).

Other changes, as needed, have been made to correct the table.

PN-8

Comment: In Table 1-1, add EPA's authority for New Source Review Permitting program, Clean Air Act Title V, Part 71 operating air quality permits program, and the Safe Drinking Water Act Class II underground injection control permits. Utah DEQ is not the authorizing agency within Indian Country, so it should not be listed in the table. (020)

Response: BLM concurs and has modified the table.

PN-9

Comment: The Project's stated Purpose and Need is inadequate under NEPA because it fails to disclose the fact that the DEIS acts as a plan amendment. There should be an explanation and analysis of whether this project is covered by the Reasonable Foreseeable Development Scenario as analyzed in the Book Cliff RMP/FEIS, and whether this level of proposed development is consistent with or exceeds the RMP. Does the BLM consider the DEIS's treatment of a "Reasonable Foreseeable Development Scenario" to be a plan amendment? If not, how was the decision made not to prepare a plan amendment? If BLM agrees that a plan amendment is necessary, it must provide opportunity for additional public comment. (013)

Response: Please see the response to NP-11.

ALTERNATIVES (AT) COMMENTS

AT-1

Comment: BLM's Proposed Action (Alternative #1) includes little, if any mitigation for mule deer. (008)

Response: Comment noted. Section 2.1.13.4 was amended to include the language already contained in Section 4.7.6.1. Additional mitigation for mule deer is found under Alternatives 2

and 3, where additional wildlife considerations are taken into account. See also response to Comment MT-19.

AT-2

Comment: Operators should be bonded to ensure that sufficient reclamation funds are available. (009, 013)

Response: Prior to the start of surface disturbing activities, the lessee or operator will be bonded in accordance with 43 CFR Subpart 3104 – Bonds.

AT-3

Comment: In Section 2.1.2 Construction Operations, the math regarding areas of initial surface disturbance and remaining un-reclaimed areas is incorrect. The document needs to reconcile the maximum well location size of 1.80 acres, the total initial disturbance averaging 0.84 acres, and the 0.96 acres remaining of un-reclaimed land. (010)

Response: The numbers reported in the DEIS are correct. Deeper wells would require a maximum pad size of 1.19 acres and a larger reserve pit of 0.21 acres. Stockpiles would occupy approximately 0.10 acres and backfill areas for the reserve pit and stockpiles would average 0.30 acres. Totaling these areas results in a maximum well pad size (total disturbed area) of 1.80 acres. After drilling and initial completion operations, approximately 0.84 acres per well pad would no longer be needed and would be reclaimed. Subtracting this from the 1.80-acre maximum well pad leaves 0.96 acres of disturbed area per well as reported.

AT-4

Comment: A transportation plan and maps that address road ownership, condition, construction standards, maintenance and safety issues, and rights-of-way needs to be provided in the document. (010, 014)

Response: A Transportation Plan has been developed as part of the Vernal Resource Management Plan process. This Transportation Plan includes designated routes within the RDG Project Area. The impacts of any new designated roads constructed as part of this RDG project are disclosed in Chapter 4 of the Draft EIS. Specifics regarding ownership, maintenance, safety, and rights-of-way cannot be addressed until road routes are identified exactly, which cannot be done at this programmatic level of analysis. These issues will be addressed at the site-specific level as part of the APD Environmental Assessment process. See also the response to Comment MT-16.

AT-5

Comment: On page 2-2, the DEIS assumes a ROW of 30 feet for access road construction. If windrowing both vegetation and topsoil is required, then the ROW must be increased to approximately 50 feet necessitating the recalculation of total road impacts. This is an excessive requirement and there is little to no benefit to constructing roads in this way. The windrowing requirement should be removed from the document. (010, 012, 017)

Response: The windrowing requirement of both vegetation and topsoil along road ROWs has been removed from the Final EIS.

AT-6

Comment: In Section 2.1.3 Seismic Operations, the DEIS states that seismic operations would only be performed on existing roads. This is incorrect. Three-dimensional surveys would require off-road access. (010, 012, 014, 017)

Response: Section 2.1.3 – Seismic Operations, has been amended to clarify this issue. If potential seismic operations were considered, the operations would use existing roads and trails as well as other adjacent lands. Based on seismic operations conducted previously in similar areas, minimal surface disturbance would occur. Any future proposed operations would be considered on a case-by-case basis and the appropriate environmental documentation prepared.

AT-7

Comment: The document should include the minimum standards for casing and cementing, as contained in Federal Onshore Order #2 and the Utah Division of Oil, Gas, and Mining's regulations. (010, 014)

Response: The BLM acknowledges the relevance of these standards and has incorporated them by reference in Section 2.1.4 per CEQ regulations (40 CFR § 1502.21).

AT-8

Comment: In Section 2.1.6 – Production Operations, it is incorrectly stated; "all drilling fluids, stimulation fluids, waste water, and water used for all other proposed...development activities" would be disposed of in an approved injection well. This injection well is owned by Rosewood and is a Class II injector. Only produced water can be disposed of and, in addition, Rosewood is not obligated to take all fluids from other operators in the project area. This section should be rewritten to accurately reflect the disposal options for operators. (010, 012, 014, 017)

Response: Section 2.1.6 – Production Operations, states that produced water would be transported from well sites to the disposal well or to State of Utah licensed commercial disposal facilities.

AT-9

Comment: The BLM should remove the statement on page 2-14 that reads, "The following measures apply to all federal and state lands within the RDG Project Area." The State has expressed a preference to not commit all state lands to environmental considerations. (010)

Response: The wording in Section 2.1.13 of the Final EIS has been changed to: "The following measures apply to all federal lands within the RDG Project Area. The BLM would coordinate with the state regarding split estate issues on a case-by-case basis to consider implementing these measures on state lands."

AT-10

Comment: In Section 2.2.1.2 Soils/Riparian, the impact on the number of wells due to the restriction on surface disturbance on slopes over 40% is understated in the document because of the use of maps using a 40-foot contour interval. The use of 60-foot center-to-center pixels would incorporate even larger errors. (010)

Response: The 4,151 acres of area that is over 40% slope was calculated using the best-available GIS data. It is an approximate number meant to disclose the general proportion of lands that are unlikely to be developed for oil and gas. The use of 40-foot contour intervals is just as likely to underestimate that acreage as overestimate it. The approximate impacts of oil and gas development on soils and geology within the project area are disclosed in Section 4.1 of the Draft EIS.

AT-11

Comment: The paragraph under Section 2.5.1 in the DEIS is misleading and should reflect the actual development of the proposed action in the initial EA. (010, 012)

Response: Section 2.5.1 has been rewritten to better describe the maximum development alternative and why it was dismissed.

AT-12

Comment: In Table 2-8 under "Effects on Socioeconomics," Alternatives 2, 3, and 4 need to quantify annual jobs and wages. All of the alternatives should quantify and include taxes and other revenues and royalties payable to Uintah County and the State of Utah. (010, 014)

Response: The table will be updated to reflect the expansion of Sections 3.16 and 4.16 in the document. Please see responses to comments SE-1, SE-3, and SE-4.

AT-13

Comment: The document does not address an additional alternative which would present the information and mitigations should the current regulations and procedures be used. An explanation as to why this alternative was not included needs to be incorporated into the document. (017)

Response: The EIS and proposed alternatives are in accordance with the existing BCRMP and all pertinent agency regulations. See response to comment NP-7.

AT-14

Comment: The document should discuss windrows in more detail if they are to be implemented. For example, how will windrows be crossed? What effect will they have on drainage and erosion? What are the advantages over current methods? (017)

Response: Please see the discussion of windrows under AT-5.

AT-15

Comment: In Section 2.1.12.2 Paleontological Resources, the wording commits to a paleontological survey of the entire 79,914-acre project area prior to any surface disturbance. McElvain does not support this commitment. McElvain would support a survey in conjunction with the on-site inspections, if it were deemed that the potential exists for sites. (017)

Response: Section 2.1.13.2 of the Final EIS, Paleontological Resources, has been amended. Prior to surface disturbance and as determined by the BLM AO, paleontology surveys will be conducted on site-specific applications.

AT-16

Comment: In Section 2.1.4 Drilling Operations, it states that a surface-casing hole would be drilled to a depth of 300-500 feet. According to the stratigraphy shown in Figure 3.1, this depth is not sufficient to protect potential aquifers encountered. The USGS recommends that information from the large number of existing groundwater wells shown on Map 3.1 be used to determine the likelihood of encountering freshwater aquifers. (018)

Response: The section cited indicates that the surface-casing hole will be drilled to a "minimum depth of approximately 300 to 500 feet." See also the response to Comment WR-12.

AT-17

Comment: Section 2.1.4 Drilling Operations, needs to clarify whether surface casing would extend 50 feet below the bottom of the freshwater aquifer, or 50 feet below the point at which freshwater is first encountered. (018)

Response: Please see the response to WR-4.

AT-18

Comment: The Kinder Morgan gas pipeline is now owned by another entity. Correct the statement. (012)

Response: The document has been corrected to read "the existing gas pipeline gathering and collection network."

AT-19

Comment: In Section 2.1.11.5 Well Maintenance, only 12 pumpers would be required to visit the 362 producing wells noted in Table 2-4. (012)

Response: The section has been corrected to reflect the assumption noted in Table 2-4, that 61 wells would be drilled and abandoned as dry.

AT-20

Comment: As a normal practice, ACMs remain unchanged regardless of the alternative. What is the rationale behind this past and common practice? (012)

Response: Applicant-committed measures (ACMs) or Best Management Practices (BMPs) are voluntary actions committed to by the proponent as part of the proposed action to further reduce impacts to the environment from aspects of energy development. The proponents have placed such ACMs or BMPs in the proposed action after having observed how BLM has provided Conditions Of Approval in similar situations and having determined that such a commitment is in the proponents' best interest.

AT-21

Comment: Wells are not generally "cemented from top to bottom upon completion." Such a requirement should be deleted from the document. (012)

Response: The BLM ensures compliance with "Onshore Oil and Gas Order No. 2, Drilling Operations" to assure that well drilling and completion will not adversely affect groundwater quality or prospectively valuable mineral deposits. Due to the state-of-the-art drilling and well

completion techniques, the possibility of adverse degradation of groundwater quality or prospectively valuable mineral deposits by the proposed action will be negligible.

Well completion must be accomplished in compliance with "Onshore Oil and Gas Order No. 2, Drilling Operations". These guidelines specify the following:

... proposed casing and cementing programs shall be conducted as approved to protect and/or isolate all usable water zones, potentially productive zones, lost circulation zones, abnormally pressured zones, and any prospectively valuable deposits of minerals. Any isolating medium other than cement shall receive approval prior to use.

The wording addressed by the comment has been deleted.

MITIGATION (MT) COMMENTS

MT-1

Comment: After abandonment, site reclamation including roads, well pads, and reserve pits should be fully reclaimed to restore public trust in the industry. Following site reclamation, reclamation of remaining roads should be undertaken. Citing applicable regulations does not constitute an adequate mitigation plan. A thorough analysis of reclamation needs is required. (002, 005, 009)

Response: The BLM agrees that reclamation is necessary and has well-established interim and final BMPs (including recontouring/ripping, site preparation, and seeding with native seed stock) for site reclamation. Similar land uses occur in many other locations in this region and provide a substantial knowledge base to inform reclamation efforts for the proposed action. Given this, additional analysis of reclamation needs for this project is not necessary.

MT-2

Comment: Under Section 2.1.8 Abandonment and Reclamation, the document should expand the statement about using a "mixture of native grass and plant species" to include non-native seeds. (010)

Response: The seed mix required for reclamation under the APD approval will contain native species selected for their ability to stabilize the sites and enhance habitat quality.

MT-3

Comment: In Section 2.2.1.4.1 Deer, the recommendation of a 4-month window of no surface occupancy is not consistent with lease conditions. (010, 014)

Response: There are no lease stipulations or lease notices on Federal leases within the Project Area for crucial deer winter range. Section 2.2.1.4.1 – Deer, identifies additional environmental considerations for Alternative 2. One of the considerations is a Timing Limitation from November 15 through April 15 precluding surface disturbing activities, drilling, or completion activities on BLM administered lands. Analysis of the consideration continues through the document.

MT-4

Comment: In Section 2.2.1.4.2 Sage Grouse, The recommendations exceed the State of Utah sage recovery plan. The recommendations should be consistent. (010)

Response: Alternative 2 proposes measures that would lessen impacts to sage grouse. Alternative 3 is more consistent with the Strategic Management Plan for Sage Grouse (UDWR 2002).

MT-5

Comment: In Section 2.2.1.4.3 Raptors, The recommendations exceed the USFWS recommendations. (010, 012)

Response: The Appendix E, USFWS Raptor Protection Guidelines, is not the full document. It only contains extracts from the guidelines.

MT-6

Comment: In Sections 2.2.1.6 Recreation/Visual Resources and 4.14 Visual Resources, the recommendations exceed the VRM classification for the area and cannot be required without amending the RMP and should be deleted from the document. (010, 012, 014, 015)

Response: The mitigation measures relative to visual resources associated with Goblin City View Area are not mandatory, but provide reasonable additional actions to further reduce impacts to visual resources. The reader is referred to the ROD for a presentation of the mitigation measures carried forward as terms and conditions associated with this project.

MT-7

Comment: Only locations with alluvial soils should be required to have pit liners installed. All other liner requirements should be made at the time of the on-site inspection. A blanket requirement is not required to protect the groundwater resource. (010, 012, 014, 017)

Response: Section 4.2.3 – Mitigation was amended to indicate that the lining of reserve pits would be assessed at the time of the on-site inspection prior to any surface disturbance.

MT-8

Comment: Mitigation measures for Alternative 1 that put restrictions on timing for construction and drilling, and the location of roads will affect existing oil and gas leases. (010)

Response: Please see response to Comment MT-3.

MT-9

Comment: In Section 4.2.1.1.2 Surfacewater, the DEIS references the use of BMPs for stormwater control. These BMPs need to be identified and an indication of any additional surface disturbance that would be required to implement them. Based on the other 5,755 wells in Uintah and Duchesne Counties, is stormwater management a real or perceived problem? (010, 017)

Response: The BLM will use the BMP standards and guidelines as contained in the *Gold Book, Fourth Edition* (currently referenced for Field Office consideration under Instruction Memo IM-2005-247, dated September 30, 2005). The need for and type of BMPs to be implemented would

be determined on a site-specific basis. The elements in this book are guidance and can/will vary by site-specific conditions.

MT-10

Comment: In the mitigation sections throughout the document, the use of the word "would" needs to be changed to "could." (010)

Response: "Would" is used to set a conditional subjunctive mood in describing the action alternatives and associated mitigation measures, if selected for implementation. It is common and appropriate usage in NEPA documentation today.

MT-11

Comment: In Section 4.2.3 Mitigation, the DEIS recommends avoidance of drilling and seismic shothole operations in the floodplains of certain washes and draws to reduce impacts to shallow alluvial aquifers. If pits are lined, then drilling can occur on alluvial soils. To prevent shot holes for seismic operations would make data very difficult to obtain. This mitigation measure should be removed. If not, then the number of lost wells, production, taxes, and jobs should be included in the document. (010, 014)

Response: Section 4.2.3 – Mitigation, was amended to state seismic operation shot holes would avoid 100-year floodplains. NEPA requires that analyses be conducted to determine potential impacts on the existing environment from proposed alternatives as carried forth.

MT-12

Comment: In Section 4.3.4 Mitigation, additional information needs to be provided on the location of surfacing material to mitigate for fugitive dust on roads and well locations. To be economical, the location would need to be within the project area, providing need for additional disturbance and analysis. (010, 014)

Response: No specific quarry or storage sites for surfacing material have been identified within the project area. Surfacing material would be stored on previously disturbed sites. Potential quarry sites would require a separate environmental analysis subsequent to this EIS.

MT-13

Comment: If the BLM is proposing the use of electric powered compressors in Section 4.3.4 Mitigation, then the document must address the fact that there is no power currently available in the area. Impacts from the installation of power lines and the power lines themselves must also be addressed. This mitigation should be removed. (010, 012)

Response: The mitigation was removed from the section in the Final EIS.

MT-14

Comment: The last paragraph in Section 4.3.4 Mitigation should be cleaned up or removed. (010)

Response: The paragraph was removed in the Final EIS.

MT-15

Comment: In Section 4.4.3.1, the mitigation to avoid well pad construction on slopes greater than 25 percent to reduce slope failure and scarring is excessive and would restrict potential well sites considerably. Soils in the project area are not prone to failure and scarring is a visual resource that should not be mitigated for under the current VRM class. The mitigation should be removed from the document. (010, 012)

Response: To maintain consistency with the RMP guidelines for visual impacts and the NRCS Uintah County soil survey stability guidelines, this mitigation measure in the Final EIS (Section 4.4.3.1 and throughout) has been changed from 25 to 40 percent.

MT-16

Comment: In Section 4.4.3.1, the Gold Book already provides for the requested mitigation measures listed for road construction on slopes between 40 and 60 percent. The additional request for an erosion control plan, road maintenance plan, and engineered drawing of the road is overkill. (010)

Response: The Gold Book does not specifically provide mitigation measures for road construction on slopes between 40 and 60 percent. The request for an erosion control plan, road maintenance plan, and engineered drawing of the road is mitigation to prevent significant adverse impacts from erosion.

MT-17

Comment: The mitigation of not locating well pads in active drainages, when combined with the other mitigations (MT-15 and MT-16 above), is too restrictive and there would be very little drilling in the project area. (010)

Response: This mitigation would help prevent significant adverse impacts to water and riparian resources. Executive Order 11988 (Floodplain Management (g) Floodplains and Wetlands) prohibits development within the 100-year floodplain. Implementation of this mitigation would be necessary to conform to this Executive Order and would not preclude oil and gas development in the project area (See Chapter 4 of the Draft EIS).

MT-18

Comment: In Section 4.5.3 Mitigation, the off-site mitigation or enhancement of 1.5 acres for every acre of disturbed mule deer winter range or the requirement to identify, develop, and analyze off-site enhancement projects (Section 4.7.3.2.1) is in excess of the current RMP and would require an amendment to implement. (010, 012, 015)

Response: BLM can require mitigation within the disturbed areas of the proposed site. BLM cannot require mitigation to take place off -site. The companies may volunteer to contribute to off-site mitigation or enhancement.

MT-19

Comment: Throughout the document, the 1 to 1 ratio mitigation for deer habitat enhancement under the proposed action (Alternative 1) should be stated. (010)

Response: The 1 to 1 ratio is stated in Section 4.7.6.1 under mitigation. This language was added to Section 2.1.12.4 under the description for Alternative 1.

MT-20

Comment: In Section 4.7.7.1, the timing restrictions on drilling within 0.5 miles of active golden eagle nests and other raptor nests historically have not been applied to workover rigs. If a nest was inactive, historically no restrictions were placed on drilling or workover rigs. The document needs to add more detail to rationalize this mitigation requirement or remove the mitigation. (010, 014, 017)

Response: Timing restrictions would still be applied to drilling of wells within .5 mile of inactive nest sites. The timing restriction would also apply to workover rigs. The timing restriction is important because not all raptor pairs breed every year or utilize the same individual nest within a nesting territory. Individual raptor nests left unused for a number of years are frequently reoccupied.

MT-21

Comment: In Section 4.7.7.1, there is inconsistency in siting locations from raptor nests. If the operator were prohibited from drilling within 0.5 miles of an active golden eagle nest, why would the operator have to remain 1 mile from an inactive nest? (010, 014, 017)

Response: The language in Section 4.7.6.1 of the Final EIS was modified. Locations will be sited as far from inactive raptor nests as possible, up to 0.5 mile. Please also see response to MT-20.

MT-22

Comment: In Section 4.8.1.2 Mitigation, there are less mitigation measures under the more restrictive alternatives (Alternatives 2 and 3) than under Alternative 1. The document should be modified to provide the least restrictive procedures for Alternative 1. (010, 014)

Response: The mitigations described under Alternative 1 would apply to Alternatives 2 and 3 as well. The Final EIS has been revised to clarify this.

MT-23

Comment: The specific application of Section 4.9.3 should be clarified and detailed guidelines for participation rights should be included or the section should be removed from the document. (010, 014)

Response: The language in Section 4.9.3 – Mitigation, has been updated and clarified as to consultations.

MT-24

Comment: Please clarify if operators are supposed to prepare a "Treatment Plan" as per Section 4.10.3 Mitigation. This is not stated anywhere in the document. (010)

Response: In Section 4.10.3 – Mitigation, the sentence that discusses a Treatment Plan has been removed.

MT-25

Comment: Section 4.12 Livestock, needs to take into account the beneficial mitigation of 1-acre or 1.5-acre enhancement for every acre of disturbed winter forage for deer. (010, 015)

Response: The Final EIS has been revised to include this information.

MT-26

Comment: Because of its inconspicuous nature, mitigation for *Penstemon grahamii* based on field-identified plants rather than suitable habitat would not adequately prevent adverse effects to this listed species. The mitigation measures should be in line with those presented in the Veritas EA (BLM 2002b). (013, 016)

Response: The mitigation measures identified for both the candidate species White River beardtongue and Graham beardtongue in 4.8.1.2.1 identify maintaining suitable habitat by moving roads and pads where suitable habitat occurs. The following clarification will be added: Avoidance of delineated suitable habitat and populations would be done instead of attempts to avoid individual plants. Potential habitat areas would be surveyed for populations and suitable habitat and these areas would be delineated and avoided.

MT-27

Comment: The requirement to mitigate 1 acre for every acre of disturbance of crucial mule deer winter range needs to present additional information in the document, including where the mitigation is to occur; archeological, paleontological, or right-of-way issues; who is responsible for clearances; and when the mitigation is to be completed. Without this, it should be removed from the document. (017)

Response: This is discussed in Section 4.7.6 – Mitigation, under paragraph 2 (sites 45 wells and 13.4 mile of access roads within pinyon-juniper dominated habitat) and under paragraph 3 (require 1 acre of mitigation for every acre of disturbance within browse habitat).

MT-28

Comment: Mitigation measures in Alternative 1 are inadequate and UDWR recommends the following: 1) protection from significant disturbance during Nov. 15 to April 15, 2) Mitigate loss of forage by providing 1.5 acres of replacement habitat for each acre of soil disturbance, and 3) within critical mule deer range, operators should coordinate with BLM authorized officer to position well pads and roads within the pinyon-juniper woodland zone. (021)

Response: BLM management made the decision to use the current land use plan (BCRMP). The Book Cliffs RMP did not classify the same areas as UDWR does for crucial deer winter range. Current BCRMP mule deer restrictions only apply to McCook Ridge, which are outside of the project area.

MT-29

Comment: In Section 2.1.12.5 Sage Grouse, please clarify the possibility that workovers would be forbidden year-round if they involved a surface disturbance. (012)

Response: Workover rigs are considered to be part of regular well maintenance. New surface disturbance is not considered routine maintenance. Therefore, if a workover rig required new

surface disturbance, a new NEPA document would have to be completed. Under Section 2.1.12, the operators have committed to avoiding year round disturbance within 300 of an identified sage grouse strutting ground.

MT-30

Comment: In Section 2.1.12.8 Air Quality, water should be used for dust suppression, not chemical dust suppressants. (012)

Response: Prior approval by the BLM would be needed in order to use chemical dust suppressants.

MT-31

Comment: In Section 2.2.1.4.1 Deer, Rosewood will not and has not consented to limit the number of visits required to monitor its wells. (012)

Response: Alternative 2 was identifying different methods that could lessen impacts to mule deer.

MT-32

Comment: Section 2.2.1.2 Soils/Riparian, the statement that there "would be no new surface-disturbing activities on slopes greater than 40 percent" is substantially more restrictive than "avoiding" such areas and is an ACM not agreed to by Rosewood. (012)

Response: The statement that there "would be no new surface-disturbing activities on slopes greater than 40 percent" is built in to the mitigation measures of the EIS to minimize soil erosion.

MT-33

Comment: In Section 2.2.1.4.2 Sage Grouse, these requirements are not consistent with the RMP. (012)

Response: At the time the BCRMP ROD was signed (May 1985), sage grouse were not considered a sensitive species. Since then they have been added to the Utah Sensitive Species List. New information is now available regarding impacts to sage grouse. The mitigation methods contained in the alternatives were derived from the newer information to help lessen impacts to sage grouse.

MT-34

Comment: In Section 2.2.1.4.3 – Raptors, the construction and placement of artificial nesting structures are not consistent with the RMP and should be deleted from the EIS. (012)

Response: Alternative 2 is identifying different mitigation methods that could be used to lessen impacts to raptors.

MT-35

Comment: Section 4.3.4 Mitigation, Operators should not be obligated to act as policemen and enforce speed limits on remote portions of public lands. (012)

Response: This sentence refers to actions that *could* be taken by operators as a way to mitigate fugitive dust.

MT-36

Comment: In Section 5.3.4.3 Raptors, it discusses the BLM's intent to "develop additional protection measures..." Are these measures in addition to those appearing in the DEIS? (012)

Response: No, the protection measures are found in Section 4.7.6 – Mitigation.

MT-37

Comment: Are the mitigation measures listed on pg. 4-20 mandatory? If not, the DEIS has understated potential impacts. (013)

Response: The mitigation measures presented in Section 4.4.3 are not mandatory, but provide reasonable additional actions to further reduce environmental impacts. The source of these measures are contained in the Gold Book Standards, 1989, providing direction on the proper engineering regarding placement and construction of roads to minimize environmental impacts. The application of specific bulleted mitigation would be considered on a site-specific, as needed basis. The mitigation measures are used to create Conditions Of Approval (COAs) that would be identified at the time of the on-site inspection.

MT-38

Comment: In Section 4.5.3 Mitigation, if reseeding is unsuccessful and the proponent is not required to make additional reseeding efforts, then the impacts analyzed in the DEIS are understated. (013)

Response: The impacts identified in the DEIS for vegetation loss and soil disturbance are not understated. The mitigation would be modified to include the following language: "additional seeding will be required, until re-vegetation is successful. Chemical treatment of cheatgrass may be required if density of this species on the sites would limit the success of re-seeding."

MT-39

Comment: If the visual resource mitigation measures listed on pg. 4-68 are not mandatory, then the DEIS has understated potential impacts. (013)

Response: The mitigation measures relative to visual resources associated with Goblin City View Area are not mandatory, but provide reasonable additional actions to further reduce impacts to visual resources. The reader is referred to the ROD for a presentation of the mitigation measures carried forward as terms and conditions associated with this project. The mitigation measures are used to create Conditions Of Approval (COAs) that would be identified at the time of the on-site inspection.

GEOLOGY/MINERALS (GM) COMMENTS**GM-1**

Comment: Under the direct and indirect effects for Alternative 2 (Section 4.1.1.2), the statement "Since there is some overlap in these surface use and timing restrictions, the values presented above cannot be totaled" is not forthcoming. Values can be tabulated for lost gas production due to moving 73 wells. (010)

Response: The sentence in question is referring to the number of wells that could potentially be moved or subject to various timing restrictions. The same well may be affected by multiple

surface use and timing restrictions. For example, a well may be moved or subject to timing requirements for both its proximity to sage grouse habitat and the Goblin City Overlook viewshed. Because of the multiple overlaps the list of wells potentially affected by each surface use or timing restriction cannot be totaled, as it would overestimate the total number of wells affected.

WATER RESOURCES (WR) COMMENTS

WR-1

Comment: Additional information should be provided on aquifer depths. (010)

Response: Information on aquifer depths has been added to Section 3.2.2.1.

WR-2:

Comment: In Section 3.2.2.2 Recharge/Discharge of Aquifers, the DEIS states that aquifer recharge is supplemented by irrigation and return flow. There are no irrigated fields in the project area, so this statement should be removed. (010)

Response: This comment is correct – There is no irrigation or return flow currently occurring within the project area. This statement was removed from Section 3.2.2.2.

WR-3

Comment: The DEIS incorrectly states that the wells will not penetrate the deeper consolidated aquifers. The three target formations are at 4,000, 6,000, and 10,000 feet. (010)

Response: This comment is correct – The deeper aquifers will be penetrated; some of the wells may extend down to depths of around 14,000 to 15,000 ft. to reach the Weber Sandstone. This error was corrected in Sections 3.2.2.1 and 4.2.1.1.1.

WR-4

Comment: The DEIS states in Table 2-8 and other places in the document that potential impacts to groundwater (aquifers) includes dewatering of aquifers, infiltration and migration of drilling muds, upward migration of saline water and hydraulic fracturing fluids, and downward migration of drilling fluids in unlined pits. The probability or likelihood of these impacts needs to be qualified. The document should state how many of the potential impacts have occurred in the 5,755 wells in Duchesne and Uintah Counties. Aquifers cannot be contaminated as long as the casing and cement are intact over the 300-500 foot interval. (010, 012, 017)

Response: Data concerning adverse impacts to groundwater within the VFO management area was not found. In most cases the surface casing will extend to a depth of 200 ft. below the Bird's Nest aquifer and will be cemented back to the surface. This will provide adequate protection for the Birds Nest aquifer, groundwater within the Uinta Formation and any shallow alluvial aquifers present.

It is possible that in some areas useable water will be identified in lower aquifers such as the Douglas Creek and within the upper Wasatch Formation. These aquifers found below the base of the surface casing by following the casing and cementing rules presented in Onshore Order #2. Under these rules, any useable groundwater will be isolated and/or protected by placing a plug at the base of usable water and cementing behind the production casing to the base of the surface

casing shoe and also by placing cement behind the production casing to isolate and/or protect any usable water zones below the base of usable water.

WR-5

Comment: In Section 4.2.1.1.1 Groundwater, blasting associated with seismic exploration is listed as an effect on groundwater resources. This was not an issue on three other seismic EAs in the Vernal area and should be removed from the EIS or the probability of occurrence should be quantified. (010, 017)

Response: There are no known data within the VFO concerning adverse impacts to groundwater resources caused by blasting associated with seismic exploration. Any seismic exploration within the RDG Project Area will be analyzed under a separate EA. The statement concerning blasting associated with seismic operations has been deleted from this section.

WR-6

Comment: The fifth paragraph in Section 4.2.1.1.1 Groundwater, is erroneous and should be removed. (010)

Response: The non-usable groundwater from aquifers found within deeper formations and contaminants used during well completion would be prevented from migrating upwards by following the casing and cementing rules presented in Onshore Order #2. Under these rules, isolation and protection is accomplished by placing cement plugs at the base of useable water and also above the production intervals. The paragraph was removed.

WR-7

Comment: During drilling, how will water encountered in the aquifer be ascertained to be freshwater? How is "freshwater aquifer" defined? (018)

Response: As a condition of approval in the APD process all water flows encountered while drilling are required to be sampled and analyzed for major constituents, pH and Total Dissolved Solids content. The depth to flow and the flow rate is also required. Fresh water is determined by a TDS measurement of 3,000 mg/l or less (see Section 3.2.2.3).

WR-8

Comment: Section 3.2 Water Resources should contain information on depth to top of aquifers, depth to groundwater, and aerial extent of aquifers in the project area. (018)

Response: This information has been added to Section 3.2.2.1.

WR-9

Comment: The USGS recommends that the diameter of the wells being considered and that the wording and units used to denote flow for all three aquifers be consistent to facilitate comparison. (018)

Response: The surface casing that will normally be used in this area is 9 5/8" steel, the standard size for intermediate casing (if used) would be 4 1/2" to 5 1/2" steel and the production tubing would be 2 7/8" steel. As far as groundwater flows are concerned the flow rate will be independent of the hole size. The discharge rates in the document were changed to gallons per minute.

WR-10

Comment: Table 3-2 Groundwater Rights in RDG Project Area, shows only two applicants and six locations and doesn't seem consistent with the large number of wells shown on map 3-2. This needs to be explained or rectified in the document. (018)

Response: It appears that this comment is referring to Map 3-1 and Table 3-2. A further search of the Utah Division of Water Rights Database provided additional information. It appears from this data that there are 8 wells that have established water rights within the project area. It appears that 3 of Rosewood Resources water rights are just limited time/10 yr rights on wells that are owned by the BLM. The fourth Rosewood Well appears to be in a different location than the BLM Water Right and well in NWSE of Section 6, T11S R24E. Pertinent sections in Chapters 3 and 4 concerning ground water issues reflect this information and these wells have been added to Map 3-1. In addition, there are a number of exploratory actions proposed for the area including oil shale, gas, CBM and sodium carbonate brines that require drilling to identify deposits worth extraction. A study of CBM resources in the basin has identified/proposed 870 operating CBM wells on the groundwater system over the next 40 years.

WR-11

Comment: Section 3.2.2.4 Groundwater Use, is misnamed. It should be revised to "Suitability of Groundwater for Various Uses." (018)

Response: The BLM concurs and has renamed the section "Suitability for Various Uses."

WR-12

Comment: In Section 4.2.1.1.1 Groundwater, it states that impacts would only occur in shallow alluvial aquifers, since the wells would not penetrate the deeper consolidated aquifers. However, the target formations occur beneath the Green River Formation that contains the consolidated aquifers. This discrepancy needs to be reconciled and the document should include a section describing impacts to consolidated aquifers in the Green River Formation. (018)

Response: Impacts to groundwater could occur within deeper aquifers such as the Uinta Formation, the Bird's Nest and Douglas Creek within the Green River Formation as well as upper portions of the Wasatch Formation in some areas where the base of useable water is deep. This issue has been clarified in Sections 3.2.2.1 and 4.2.1.1.1 and is also shown in Tables S-2 and 2-8.

AIR QUALITY (AQ) COMMENTS**AQ-1**

Comment: The document, in Section 4.3 Air Quality and Climate, states that operators must apply for an Approval Order from EPA before beginning any construction of an air pollution source, including wells and roads. This statement is not true and should be removed from the document. (010, 012, 017)

Response: The New Source Review (NSR) Permit would not likely be required based on analyses presented in Section 4.3.2 and has been removed from the table. Even if the all of the proposed wells were considered as a single source, the emissions were projected to fall below the

250 tons per year threshold needed for a Prevention of Significant Deterioration (PSD) preconstruction review and permit (Major NSR Permit).

AQ-2

Comment: Analysis of fugitive dust problems associated with new pads and roads must be included in the Final EIS. (020)

Response: The air quality technical report completed for the project (Trinity 2002) modeled PM₁₀ concentrations that would result from several proposed emitter units, including compressors and dehydrators. It did not model the potential impacts of fugitive dust on PM₁₀ concentrations. Project applicants would be required to control fugitive dust through application of dust suppressants (See Section 2.1.13.8 of the EIS). Because of these requirements, it was assumed that fugitive dust would have a negligible impact on air quality and visibility in the project area.

AQ-3

Comment: EPA recommends that BLM expand on the comparative information of the NO_x emissions between the existing and proposed gas fields and the existing Bonanza Power Plant on pg. 5-11. (020)

Response: The Final EIS has been revised to include additional information on cumulative impacts to NO_x emissions. An expanded comparison to visibility impacts observed from the existing Bonanza Power Plant was included to the extent possible. However, direct visibility impacts based on relative comparison to the existing Bonanza emissions cannot be assessed as there is not necessarily a consistent, linear correlation in the impact of NO_x emissions from proposed sources (projected at 57% of the Bonanza Power Plant emissions) and those from the Bonanza Plant. Differences in climate, dispersion, relative source location and other factors are not necessarily directly proportional between the identified and the proposed sources. The final EIS was also expanded to include proposed mitigation to require the use of clean-burn compressor engines.

AQ-4

Comment: The final EIS should address the likely rate of condensate production and associated environmental issues, and mitigation as appropriate. (020)

Response: As disclosed in Table 2-3, it is estimated that up to 600 gallons of condensate would be produced per well during production and adequate storage for that condensate is proposed for each well pad. This is a conservative number that is inclusive of the volume of potential condensate that could be produced by the Wasatch and Mesaverde formations. Because each well pad would have adequate storage tanks and dikes to safely contain that condensate until it is removed, it was assumed that this condensate would have no adverse impacts related to hazardous materials (See Section 2.1.6 of the Draft EIS).

AQ-5

Comment: In the first paragraph of Section 3.3.2 Existing Air Quality, delete the last phrase "but the PM_{2.5} standards will not be applicable until they are incorporated into Utah's State Implementation Plan." (020)

Response: The Final EIS has been revised to incorporate this suggestion.

AQ-6

Comment: In Section 3.2.2 Existing Air Quality, add information on the control of hazardous air pollutants (HAPs) and CAA Section 112(d) MACT emission standards. (020)

Response: The Final EIS has been revised to incorporate general information on the suggested elements.

AQ-7

Comment: Replace the background concentrations in Table 3-4 with data from ambient air monitoring. Use PM₁₀ data from a closer station, recommendations include a representative IMPROVE station, the Whiterocks PM10 monitoring station on the Uintah and Ouray Indian Reservation. (020)

Response: The Final EIS has been revised to incorporate the suggested changes in projected background concentrations of NO₂, CO and PM₁₀ to the extent possible in both Table 3-4 and the appropriate text discussions. No representative on-site or near-site monitoring data is available specific to NO₂ and CO concentrations. Data on background PM₁₀ levels is available from an IMPROVE site near the White River, but the station location is in Colorado, and therefore fairly well removed from the proposed project site. Therefore, monitoring data specific to NO₂ and CO concentrations from the existing stations was modified to account for differences in emission density relative to the more rural nature of the proposed project area. Monitoring data from the IMPROVE site and that from the Uintah and Ouray Indian Reservation (provided by EPA) was used.

AQ-8

Comment: In Section 4.3 Air Quality and Climate, EPA recommends adding wording similar to the following after the last line: (see comment letter RDG-020, pg. 6). (020)

Response: The Final EIS has been revised to incorporate this information.

AQ-9

Comment: In Section 4.3.2 Direct and Indirect Effects, evaluate the dehydrators and compressor stations for potential to emit and the applicability for several MACT standards. (020)

Response: The potential to emit for all of the dehydrators and compressor stations was modeled as part of the air quality technical report prepared for this EIS (Trinity 2002). This information will be disclosed in terms of applicability to MACT standards in the Final EIS.

AQ-10

Comment: Replace the first paragraph on pg. 4-8 with the following: "The Clean Air Act lists several HPAs that could be emitted during project operations: primarily BTEX (benzene, toluene, ethyl benzene, and xylene) from the well dehydrators and formaldehyde from the pipeline compressor engines. Control of these and other HAPs is achieved through compliance with applicable MACT standards." (020)

Response: The Final EIS has been revised to incorporate this information.

AQ-11

Comment: Update Table 5-5 per EPA recommendations (see comment letter RDG-020, pgs. 7-8). (020)

Response: Table 5-5 in the Final EIS has been revised in response to this comment as follows: Data has been assessed specific to completeness and representativeness of current conditions and timely information has been incorporated into the table as appropriate and available. HAP emission data has been added to the table as available. For sources for which no current data are available within a reasonable time frame, existing data have been added to the table and marked with the year(s) of collection. The table has been relabeled as potential annual emissions. Corrections have been made to existing table sources as identified by EPA.

AQ-12

Comment: The project may require an Approval Order from the Utah Division of Air Quality. (021)

Response: Section 4.3 – Air Quality and Climate, states that Utah Division of Air Quality (UDAQ) maintains regulatory authority in the area except for within the exterior boundaries of the Uintah and Ouray Reservation. This includes the project area. Therefore, the project area is under the regulatory authority of the EPA and not UDAQ.

AQ-13

Comment: Table 1-1 should be updated to reflect the authority of EPA, as the project area is located within the exterior boundaries of the Uintah and Ouray Reservation. The project area is not under the regulatory authority of UDAQ. (020)

Response: The modification has been made as requested.

AQ-14

Comment: On page 5-10 more specific information is needed on BTEX and formaldehyde emissions from natural gas exploration, production, storage and transportation. Discussion on emissions from compressor drivers fails to list HAP emissions. Compressor drivers described does not have emission controls and may be subject to 40 CFR 63 subpart ZZZZ and would require emission controls. (020)

Response: The final EIS will be modified to incorporate information on emissions subject to 40 CFR 63 and requirements for emission controls. Information on HAP emissions will be incorporated to the extent possible.

SOILS/WATERSHED/FLOODPLAINS (SW) COMMENTS**SW-1**

Comment: DEIS analysis reveals the probability of extensive, uncontrolled erosion on slopes exceeding 40 degrees. Drilling and road construction should be prohibited in areas where erosion cannot be controlled. (009)

Response: Mitigative measures are being applied to minimize erosion on slopes exceeding 40 percent.

SW-2

Comment: In Section 4.4.1.2, the erosion rate is what changes from Alternative 1 to 2, not the background erosion rate. The erosion rate should then be applied to the number of acres that would not be disturbed on 40% slopes. (010)

Response: The erosion rate and the background rate would change, due to the difference in disturbance levels. In Alternative 2 there is no new disturbance on slopes over 40 percent, therefore the background rate of erosion would be at a lower level than Alternative 1.

SW-3

Comment: On page 4-16 the DEIS states that 10,473 tons of sediment would eventually be delivered to the White River. Later in the document, it is stated "5,100 tons of sediment are expected to be eventually delivered over time to the White River." Please explain the discrepancy. NEPA also requires scientific or data-generated bases for these conclusory statements. (013)

Response: Each alternative has different proposals/actions that lead to different amounts of sediment eventually being delivered to the White River. The unavoidable loss of soils resources found in Sections 4.4.4.1-4.4.4.4 in the DEIS was corrected to reflect the soil losses predicted in Section 4.4.1.

VEGETATION (VG) COMMENTS**VG-1**

Comment: The impact of noxious weeds and their control needs more study: Is there a way to prevent the intrusion of noxious weeds? How can they be controlled without destroying native vegetation or rendering an area barren? What are the economic impacts on range health and recreation? (009)

Response: Early detection and control of noxious weeds is the most effective method to prevent noxious weeds from dominating large areas. Power washing of construction equipment prior to coming onto BLM land has proved to be effective in eliminating noxious weed seeds from coming into the disturbance areas. This mitigation has been added to other NEPA documents as mitigation for noxious weeds, and has been added to Section 4.5.3 of the EIS. Chemicals for specific noxious weeds are used for control. Most are not species selective and will remove herbaceous species but leave grass and sometimes shrubs. Some species like musk thistle can be removed by hand if they are in small areas, but it can take a few years to eliminate the seed bank. The BLM does not approve chemicals that completely eliminate all vegetation, except on well pads and facilities for fire protection, campground sites, and re-seeding areas dominated by cheatgrass. The economic impacts of noxious weeds are costs of chemicals and/or labor for control, changes in vegetation composition due to increased dominance and competitiveness of noxious weeds that change the forage available to livestock and wildlife, decreasing the use of areas by both. Change in desirability of areas that become infested with noxious weeds change the recreation use of some areas.

RIPARIAN/WETLAND AREAS (WT) COMMENTS**WT-1**

Comment: Section 4.6.1.1 states that "no well/road development would occur in the Bitter Creek 100-year floodplain." While this is true for well pads, it is not true for roads. Current roads must remain and be maintained and possibly new roads would be required as well. (010)

Response: The BCRMP page 17 Stipulation 8 states "No surface occupancy will be allowed within the 100 year floodplain of the following creeks: Bitter, Evacuation, Hill, Sweetwater, and Willow; and the Green and White Rivers. This stipulation may be waived by the AO if either the resource values change or the lessee/operator demonstrates that adverse impacts can be mitigated (figure 2-7). There are no new roads proposed within the 100-year floodplain. Current roads would continue to be used and maintained as in the past. There would be no change from the current situation.

WT-2

Comment: The final EIS should clarify if wetland impacts are avoidable by proper well design. (020)

Response: As long as wetland vegetation is removed or wells, roads and facilities are located within 100 meters of wetland/riparian areas there will be impacts to the riparian /wetland areas. The reduction in size of well pads and the location of pads and roads away from riparian areas would reduce or avoid impacts to riparian/wetland areas.

WILDLIFE (WL) COMMENTS**WL-1**

Comment: Deer winter range analyses should be based on UDWR's more recent critical deer winter range delineation. (007, 008, 021)

Response: BLM management made the decision to use the current land use plan (BCRMP) and its boundary.

WL-2

Comment: On pages 4-28 through 4-31, highway mortality, animal displacement, and harassment are incorrectly identified as indirect effects. These would be direct effects of the proposed development. (008)

Response: The document has been changed to clarify the nature of these impacts.

WL-3

Comment: The .125-mile (660 feet) assumption underpinning indirect mule deer habitat loss due to road effect (page 4-29) is too conservative. Scientific literature suggest that reductions in deer use can extend up to .5 mile or more. (008)

Response: In Section 4.7.1, it states that mule deer habitat loss would vary, depending on the habitat types, vegetative cover, and topography. Mule deer avoidance would be greater in more open sagebrush habitats, and less dense in pinyon-juniper habitats. The topography influences

avoidance levels. The 1.25 mile (660 feet) was selected based on overall deer use in the region, adjacent habitat types, and existing traffic levels.

WL-4

Comment: BLM should strongly consider implementing a deer-monitoring program to document the effects of development on deer herd potential due to displacement. (008)

Response: BLM agrees that impacts from the development on the mule deer herd should be monitored. Funding has not allowed it, and the companies have not committed to monitoring.

WL-5

Comment: In Section 3.7.3.1 Big Game, Mule Deer, the paragraph comparing the BLM crucial winter range boundary and the UDWR critical winter range boundary needs to be corrected and made consistent with Map 2-6. (010)

Response: BLM made the decision to use the current land use plan (BCRMP), and its boundaries.

WL-6

Comment: In Section 3.7.3.1 Big Game, Mule Deer, should include the percentage of the project area winter range as a percent of the total mule deer winter range. (010, 014)

Response: This information is in Section 4.7.1.2.1 and was also included in Section 3.7.3.1.

WL-7

Comment: Define the term "high-value winter range" as used on page 3-21 and include it in the Glossary. (010)

Response: This term has been added to the Glossary with the following definition: "high-value winter range" is an area that provides for "intensive" use by one or more wildlife species that, due to relatively wide distribution, does not constitute critical values but which are highly important to high-interest wildlife.

WL-8

Comment: Make the statements regarding the existence of pronghorn antelope habitat in the project area consistent between the lease notices and the DEIS (pg. 3-22). (010, 014)

Response: In Section 1.5. – Lease stipulations, the text about the northeast quarter being identified as crucial pronghorn habitat has been removed. No seasonal ranges (winter, summer fawning area, etc.) have been designated or identified by UDWR or BLM within the project area.

WL-9

Comment: In the next to last paragraph of Section 4.7.2.2.1 Mule Deer, it states that "it is assumed that most of these deer would survive," then goes on to state "Full development of the proposed well field and associated road network could reduce the carrying capacity of the range, which could limit the capability of the herd to meet UDWR's mule deer population goal of 10,000 deer for the herd unit." You can't have it both ways! The proposed project will have no impact on the deer herd reaching the UDWR population goal. (010, 012)

Response: As discussed in Section 4.7.1.2.1 – Mule Deer, it is assumed that most deer would survive the pressures of displacement within the winter range, but animal displacement over time would result in an overall reduction of available winter habitat for the mule deer. The reduction of available habitat could result in slower recovery rates. If full development were to occur, the carrying capacity for that range could be reduced, therefore, it would not support as many deer in the herd unit.

WL-10

Comment: In the last paragraph of Section 4.7.2.2.1 – Mule Deer, the methodology used to estimate the effects of the project on mule deer numbers is flawed in the assumption of a contiguous block of habitat loss as opposed to linear disturbances that would only affect the adjacent 27 acres and the one deer calculated to use it for forage. This should be recalculated. (010)

Response: This methodology and the rationale for using it are discussed in Section 4.7.1.2.1 – Mule Deer.

WL-11

Comment: BLM needs to follow their commitment to consider Western Association of Fish and Wildlife Agencies "Guidelines for Management of Sage Grouse Populations and Habitats" (MOU 2000). In addition, sage grouse mitigation for this project should be consistent with the BLM "Sage Grouse Habitat Conservation Strategy" currently in draft. (021)

Response: BLM has committed to consider the guidelines.

WL-12

Comment: On page S-7, add antelope as a big game species (paragraph 5). (021)

Response: No seasonal ranges (winter, summer fawning area, etc.) have been designated or identified by UDWR or BLM within the project area. Antelope may be present on Archy Bench during certain times of the year. Pronghorn antelope has been added as an occasional user.

WL-13

Comment: Section 3.7.3.2 Raptors, the DEIS vastly overstates legal requirements with the statement "all raptors and their nests are protected from take or disturbance under the Migratory Bird Treaty Act." (012)

Response: This statement in Section 3.7.3.2 has been corrected.

WL-14

Comment: The DEIS fails to consider cumulative effects of the proposed action in conjunction with the current drought on wildlife, including the drought-stressed mule deer. (013)

Response: There are other existing factors that affect the population of mule deer along with the current drought. Section 3.7.3.1 – Big Game, discusses historic mule deer population fluctuations due to drought, along with other factors such as: hunting, grazing, energy development, increased recreation, and predation. The current drought effects on the deer population is an environmental factor that can not be controlled, therefore the environmental factor (drought) is beyond the scope of wildlife management (4.7.6.1 Mitigation)

SPECIAL STATUS SPECIES (SS) COMMENTS

SS-1

Comment: In Table 3-7 Special Status Wildlife Species, quantify the potential for occurrence of mountain plover, Mexican spotted owl, and Utah milk snake. (010)

Response: Table 3-7 has been modified to reflect current species status. The potential occurrence for mountain plover would be low. The nearest historical sighting would be north of the project area in Coyote Basin. No suitable nesting habitat has been identified within the project area. The potential occurrence for the Utah milk snake would also be low. BLM and UDWR files were reviewed and no historical sightings have been documented within the project area. The 1997 and 2000 Mexican spotted owl habitat models were reviewed. The models predicted a low occurrence of suitable nesting habitat throughout the project area. Also, no historical sightings have been documented within the project area. Therefore, the potential occurrence for Mexican spotted owls to nest within the project area would be low.

SS-2

Comment: Referencing Section 4.8.1.1.4, it states that the no action alternative can drill 970 to 1,940 wells at a rate of 2-5 wells per year. Full field development would take 194 to 970 years. If this is correct, then all of the other resource areas have understated the "no action" impacts. How could such a misstatement be contained in a document reviewed both in Vernal and the State office? (010, 014)

Response: This statement has been corrected in the Final EIS and made consistent with the language in Section 2.4, Alternative 4 – No Action, which states that 55 wells would be drilled.

SS-3

Comment: There is no evidence that the BLM entered into formal Section 7 consultation with the USFWS to address potential effects on listed species. (013, 016)

Response: USFWS was involved from the beginning stages on the development of the RDG EIS. Formal consultation is not initiated until submission of the Biological Assessment to FWS. The biological assessment will be included in the final RDG EIS (Appendix B).

SS-4

Comment: Table 3-6 uses the outmoded C1, C2, and C3 designations that were abandoned by the Service in 1996. (013, 016)

Response: The table and footnotes will be changed using S for sensitive species, C for candidate species, T for threatened species, and E for endangered species.

SS-5

Comment: All three action alternatives propose to construct approximately five new wells and four new road segments in the vicinity of occupied habitat for *Penstemon grahamii*. Eliminating these areas with known *P. grahamii* populations from the project design is the only adequate way to protect them from destruction. (013, 016)

Response: The mitigation listed in the DEIS and addition of the clarification that "potential habitat areas will be surveyed for populations and suitable habitat and these areas will be

delineated and avoided," will provide protection for these population sites from both direct development and fragmentation.

SS-6

Comment: The ACM should only apply to federally listed species, not "State Species of Concern." (012)

Response: The measure for state species is in compliance with BLM policy (BLM 6840) for the protection of sensitive species and management of these species to prevent the need for federal listing. The Utah BLM sensitive species list is developed from multi-agency review for plant species and from the Utah State Species of Concern list approved by the Utah Wildlife Board for wildlife species.

SS-7

Comment: Section 3.8.2.6 – Mountain Plover, USFWS recently decided to withdraw mountain plover from further consideration for listing. This should be reflected in the EIS. (012)

Response: The discussion of Mountain Plover has been deleted from the document. Table 3-7 has been modified to reflect current species status.

CULTURAL RESOURCES (CR) COMMENTS

CR-1

Comment: Because of BLM Instruction Memorandum 98-131-2 which prohibits reburial of Native American remains that have been excavated on BLM lands, we oppose all ground disturbing activities that have the potential to disturb the remains of our ancestors. (001)

Response: The BLM policy referred to was developed because of substantial and extensive legal, logistical, and practical problems that could occur if human remains and other cultural items were to be reburied on public land (BLM IM CO-931, 8200 [P]). Essentially, the BLM cannot guarantee that such items would remain protected after reburial on public land. The BLM has established two options as legally eligible ways to make land available to Native American tribes to rebury NAGPRA-related materials. These options are: 1) land sales and exchanges under FLPMA and 2) patents authorized under the Recreation and Public Purposes Act. For more information about these alternatives, please contact the Cultural Heritage staff at the Washington office of the BLM.

CR-2

Comment: Consulting only with the Ute Tribe is not sufficient to comply with NHPA (36 CFR 800) that requires consultation with any tribe that attaches cultural significance to the affected environment. (003)

Response: The BLM has initiated consultation with fifteen tribes about the RDG EIS because they have declared an interest in lands included in the area of this EIS. The tribes to be consulted include the Ute Mountain Ute Tribe, White Mesa Ute Council, Southern Ute Tribe, Ute Indian Tribe, Hopi Tribe, Navajo Nation, Eastern Shoshone, Confederated Tribes of the Goshute Reservation, Laguna Pueblo, Nambe Pueblo, Santa Clara Pueblo, Zia Pueblo, and the Northwestern Band of Shoshoni Nation. The EIS will be mailed to these thirteen tribes inviting comment. Additionally, if NAGPRA issues arise, Acoma Pueblo will be consulted.

CR-3

Comment: In Section 4.9.3 Mitigation, please define "Native American governments," "traditional leaders," and "other interested groups and persons" and provide information on their level of input and under what conditions they would have input. (010, 017)

Response: Native American governments that would be consulted in the event that cultural resources cannot be avoided and require mitigation include tribes that claim aboriginal or current occupation of an area, and tribes that have ties of traditional and/or religious importance to an area. In relation to this EIS, this includes: the Ute Mountain Ute Tribe, White Mesa Ute Council, Southern Ute Tribe, Ute Indian Tribe, Hopi Tribe, Navajo Nation, Eastern Shoshone, Confederated Tribes of the Goshute Reservation, Laguna Pueblo, Nambe Pueblo, Santa Clara Pueblo, Zia Pueblo, and the Northwestern Band of Shoshoni Nation. The EIS will be mailed to these thirteen tribes inviting comment. Additionally, if NAGPRA issues arise, Acoma Pueblo will be consulted. Consulting the Native American governments will follow protocol set forth in the BLM Handbook H-8120, which sets forth the process for consulting Native American tribes and their level of input.

The term 'traditional leaders' is used consistently throughout BLM Handbook H-1820 to refer to individuals who may, at the request of tribal officials, be contacted as part of the consultation process. Additionally, the BLM field office may already be aware of individuals considered to be traditional cultural leaders or religious practitioners by a tribe. In such cases, the BLM can contact the traditional leaders or religious practitioners directly at the same time they contact tribal leaders. For traditional leaders, the level of input and conditions under which they have input on the process are the same as for tribal governments.

The term 'other interested groups and persons' includes other participants in the Section 106 consultation process, as described in 36 CFR § 800.2(c). This includes the State Historic Preservation Officer, Tribal Historic Preservation Officer(s), representatives of local governments with jurisdiction over the area involved in the EIS, the project proponents, and certain individuals and organizations with a demonstrated interest in the undertaking as a result of their legal or economic relation to the undertaking or affected properties or their concern with the undertaking's effects on historic properties.

CR-4

Comment: BLM has not adequately identified the cultural resource sites within the project area, relying instead on a 20-year old Class II inventory and acknowledging that, "many portions of the Project Area remain uninventoried." Further inventory of the project area needs to be completed. (019)

Response: The EIS uses a programmatic approach to analyze and compare the impacts of the various alternatives on cultural resources. In the DEIS, this is described in Section 1.2 – Purpose and Need, which is explicit about the EIS as a tool to address the effects of a proposed level of development rather than the specific effects of particular actions in known locations. Furthermore, in Section 1.4 – Decisions to be Made After the EIS Process, the DEIS explicitly notes that, "The ROD associated with this EIS is neither the final review nor the final approval for all actions associated with this project. Although the ROD would approve the project's natural gas development and general location, each project component involving surface disturbance to federal lands must be analyzed and approved on a site-specific basis by BLM. The

method used to evaluate each surface-disturbing activity is detailed in the APD and/or ROW grant; submission and approval of such applications are required prior to any project construction." (Section 1.4).

At this stage in the process, more specific information on the effects of the proposed action on cultural resources is neither available nor required. When each APD is initiated, with site-specific location information, Section 106 compliance work will be carried out in conjunction with an Environmental Assessment. At that point, cultural resources survey and other cultural resources work will be carried out according to the process describe in the NHPA (as amended) and its implementing regulations (36 CFR 800) and NEPA.

CR-5

Comment: In Chapter 4, the BLM needs to discuss how specific activities will impact identified cultural and historic resources, rather than the generic treatment that is currently available. For example, the DEIS does not discuss how seismic operations will affect historic resources. (019)

Response: The text of Section 4.9 has been revised to include mention of the potential for seismic operations to affect cultural and historical resources. However, since data describing a safe buffer zone adequate to protect cultural resources from impacts of seismic operations are not currently available, and since specific information about the cultural and historical resources in the project area is neither required nor available for a programmatic-level EIS, the analysis of impacts is not detailed.

CR-6

Comment: The 100-foot Area of Potential Effect is completely inadequate for roads whose right-of-way will be 30 feet wide. (019)

Response: The 100-foot Area of Potential Effect is in the Programmatic Agreement (Appendix A of the DEIS); this document will not be included in the Final EIS and therefore no change is made to the text for the Final EIS. Instead, determinations about the level of effort required to adequately identify and evaluate cultural resources in the project area will be determined at the site-specific level when specific project locations are known. The level of effort required to adequately identify and document cultural resources will comply with the BLM's "Guidelines for Identifying Cultural Resources" Handbook H-8110, the parameters established in Section 2.1.12.1 of the DEIS, and other state and federal regulations pertaining to cultural resources survey and identification.

Additionally, in Section 2.1.12.1 – Cultural Resources, the DEIS states that "RDG would avoid any cultural resources found in the Project Area during surveys by adjusting facility locations, or mitigating, monitoring, or salvaging according to an approved data recovery plan."

CR-7

Comment: In Section 2.1.12.1 Cultural Resources, only "significant" cultural resources should be "avoided or mitigated," and not each and every cultural resource would be subjected to the approved data recovery plan. (012)

Response: The wording of Section 2.1.13.1 of the Final has been changed to reflect this clarification. Only cultural resources recommended or determined to be eligible for the National Register of Historic Places, and thus 'significant', would be considered when recommending

avoidance or mitigation. Sites recommended or determined to be not eligible for the National Register of Historic Places, and thus not significant, would not require avoidance or mitigation.

PALEONTOLOGICAL RESOURCES (PR) COMMENTS

PR-1

Comment: As not all of the project area has a potential for paleontological resources, not all surface disturbances should have to be surveyed (Section 4.10.3). (010)

Response: This issue has been addressed and included in Section 3.10.2. Limited paleontological surveys would take place in Condition 2 areas and none would be conducted in Condition 3 areas.

LAND USE (LU) COMMENTS

No comments.

LIVESTOCK MANAGEMENT (LM) COMMENTS

No comments.

RECREATION (RC) COMMENTS

RC-1

Comment: The statement under Section 3.13.5.2 Uintah County is contrary to the primary goal of the county's General Plan. A consistency review should be based on the 2003 revision of the County General Plan. (010, 015)

Response: The August 23, 2003 revision to the Uintah County General plan states, "Resource development and recreation and tourism are compatible through proper planning and management."

RC-2

Comment: The State recommends against authorizing any of the 15 proposed natural gas wells within the area of overlap between the project area and the White River Inventory Area until final management decisions are made for the White River Corridor in the RMP. The State believes the BLM must preserve recreational opportunities within the corridor. (021)

Response: The overlap area is being considered in the new Vernal Field Office RMP as an area having wilderness like characteristics therefore, actions will be taken to minimize and mitigate the loss of those values until a decision is reached on how to manage these particular lands in the ROD.

RC-3

Comment: Due to increased access from new and reconstructed roads, indirect effects from ORVs must be analyzed on special status species, cryptobiotic soils, vegetation, visual resources, etc. (013)

Response: There would be minimal loss of visual resources associated with the indirect effects of new and constructed roads and the subsequent use of ORV use off-road because the managed VRM class of IV allows for major modification of the existing landscape without diminishing

the classification and the key observation points set to determine the visual quality are located approximately 2 miles north of the boundary of the project area and were placed because of the Goblin City Overlook which has views primarily to the east and west. Other indirect impacts have been added to Chapter 4, particularly Sections 4.4 – Soils/Watershed/Floodplains, 4.5 – Vegetation, 4.8 – Special Status Species, 4.10 – Paleontological Resources, and 4.13 – Recreation.

RC-4

Comment: The DEIS fails to mention that BLM and others have identified eligible "Wild and Scenic River" segments in and around the project area. Impacts to this resource must be addressed in the document. (013)

Response: In an attempt to clarify BLM policy regarding the White River, the Director of the National Landscape Conservation System stated in a memorandum to the Utah State BLM Director, (that the outstandingly remarkable values) "should be located in the river, on its immediate shorelands, contribute substantially to the river ecosystem, and/or owe their location or existence to the presence of the river." Because of its location 1.5 miles to the north of the project area, the White River segment identified as "wild" under the Wild and Scenic River Act, is not an issue of concern for the proposed project.

VISUAL RESOURCES (VR) COMMENTS

No comments. See comments under Recreation above.

WILDERNESS CHARACTERISTICS (WC) COMMENTS

WC-1

Comment: There is no analysis of the effects of alternatives on roadless areas. (002)

Response: The BLM does not identify and manage for roadless areas, but does make OHV designations during land use planning. Lands within the project area are designated in the BCRMP as open to OHV travel.

WC-2

Comment: BLM should use authority acknowledged in April 16, 2003 lawsuit settlement to preserve wilderness characteristics. (002)

Response: The Utah vs. Norton decision did not diminish the BLM's authority to conduct inventories of public land resources and other values, including characteristics associated with the concept of wilderness. Those values were found by the Southern Utah Wilderness Alliance and concurred with by the Vernal Field Office on 5-23-02 for portions of the RDG area as having "reasonable probability...[of having]...wilderness characteristics." The ongoing planning effort in the Vernal Field Office may result in measures that would protect wilderness characteristics in the future.

WC-3

Comment: Drilling should be kept out of roadless areas and areas of critical environmental concern. (007)

Response: Refer to the response to WC-1 regarding roadless areas. There are no designated ACECs within the project area; however, the White River Potential ACEC may be affected. Alternatives and mitigation measures have been considered to reduce or avoid impacts to the wildlife and scenic relevant and important values of this area.

WC-4

Comment: Drilling should be prohibited in the White River Wilderness Inventory Area as it would contribute little to overall gas production and destroy wilderness values. (009)

Response: Although the BLM inventoried and determined that wilderness character exists in this area, valid and existing rights of the leasor also exist for reasonable opportunity to extract fluid minerals. Alternatives have been considered to reduce or avoid impacts to wilderness characteristics from both drilling and production of those fluid minerals.

WC-5

Comment: Because of the recent "wilderness settlement," the BLM exceeds its authority to manage land that has "wilderness characteristics" as *de facto* wilderness by constraining project scope or requiring additional mitigation measures. These references should be purged from the document before the ROD is written. (010, 011, 012, 014, 015)

Response: The settlement acknowledges: (1) that the BLM's authority to conduct wilderness reviews, including the establishment of new WSAs, expired no later than October 21, 1993, with the submission of the wilderness suitability recommendations to Congress pursuant to Section 603 of the FLPMA; and (2) that the BLM is without authority to establish new WSAs. The settlement did not, however, diminish the BLM's authority under Section 201 of FLPMA to inventory public land resources and other values, including characteristics associated with the concept of wilderness, and to consider such information during land use planning.

Because the Vernal Field Office has recognized the White River Unit as having a reasonable probability of having wilderness characteristics, the decision to protect or not to protect those characteristics will be made in the pending Land Use Plan ROD. Meanwhile, the wilderness characteristics will be considered in all NEPA documents as a resource value.

WC-6

Comment: It would be prudent for BLM to delay approval of wells and roads within citizen-proposed wilderness study areas pending final court action on the matter. (020)

Response: The BLM can only address the proposed action in the context of current court decisions, as well as existing land use plan decisions, law, regulation, policy, and valid existing rights. There is nothing in the foregoing that would constrain BLM from making a decision on the project now.

WC-7

Comment: The BLM is forbidden to inventory "wilderness characteristics" or to evaluate the validity or utility of such characteristics unless the same represent amendments to the RMP. (012)

Response: Please see the response to Comment WC-5. The BLM may inventory for wilderness characteristics, and may manage for them through land use plan decisions. If the existence of

wilderness characteristics is determined subsequent to the ROD for the pending land use plan, it is new information to be considered in subsequent site-specific Environmental Assessments.

SOCIOECONOMICS (SE) COMMENTS

SE-1

Comment: In Section 3.16.4 Public Finance, the taxes paid to the county by operators for each well, including *ad valorem* and severance taxes) need to be included in the EIS. (010)

Response: The Final EIS has been revised to include a more detailed explanation of the royalties, production and property taxes pertaining to the project. Exact dollar amounts of *ad valorem* and severance taxes are unavailable and it would be speculative to estimate a dollar amount.

SE-2

Comment: Referencing Section 5.3.10 Socioeconomics, SF Phosphate has an estimated 200 years of mineral reserves. This does not comport with the statement noting a lack of "long-term sustainability." (010, 015)

Response: The reference to "long-term sustainability" has been deleted from this section.

SE-3

Comment: Section 3.16 does not include a full accounting of the costs and benefits of the proposed alternative. The only local industry included is the livestock industry. Property values (and associated amenity and desirability values), recreation and tourism, etc. should be included. (013)

Response: The commenter does not provide any reason or explain why the potential impacts (cost and benefits) of the proposed action should be included in the Affected Environment Chapter, Section 3.16. Costs and benefits outside of employment, wages, and revenue, were not identified as areas of concern during the scoping process and therefore are not analyzed in this EIS. Potential impacts to property values within Uintah and Duchesne counties are not likely to be impacted by this project. The project area is also not likely to impact recreation, tourism, and agricultural practices in Uintah and Duchesne counties. However, Section 3.16 has been updated with additional available information.

SE-4

Comment: In Section 4.16 Socioeconomics, the document needs to estimate the amount of natural gas expected to be recovered in the project area. In addition, the socioeconomic costs of oil and gas extraction need to be estimated, including non-market costs (See comment letter RDG-013, pg. 11, Table1. for a list of examples). (013)

Response: Section 4.16 has been expanded to include an estimate of the amount of natural gas expected to be recovered in the area, the estimated wellhead price per thousand cubic feet has been added, and more detailed explanation of the anticipated revenues for the life of the project has been included.

Many of the non-market costs mentioned in RDG-013 are either analyzed in other sections or were not identified as issues needing further analysis in scoping and therefore will not be analyzed in this section of the EIS.

SE-5

Comment: The DEIS shows Alternative 3 as having the same socioeconomic impacts as the proposed action. If this is the case, Alternative 3 should be the preferred alternative. (013)

Response: Socioeconomics is only one of many resource issues considered in making a final determination. There may be minimal differences between alternatives with respect to one resource/issue, but the differences may be substantial in other areas. All these factors must be weighed in making a final determination for the preferred alternative.

NOISE (NS) COMMENTS

No comments.

MISCELLANEOUS (MS) COMMENTS**MS-1**

Comment: In the glossary, check the definitions for the following terms: permeability, pipe stringing, produced water, reciprocating pump, reserves, and seismic. (010)

Response: Glossary terms and definitions have been validated and expanded in the EIS.

MS-2

Comment: Please provide a definition of "council" that is referenced in the last line of page A-11. (010)

Response: The term ‘council’ refers to the Advisory Council on Historic Preservation (ACHP); this is noted in Appendix A on page A-1, first paragraph. The Advisory Council on Historic Preservation is an independent Federal agency that promotes the preservation, enhancement, and productive use of our Nation's historic resources, and advises the President and Congress on national historic preservation policy. ACHP is the only entity with the legal responsibility to encourage Federal agencies to factor historic preservation into Federal project requirements. As directed by the National Historic Preservation Act, the Advisory Council on Historic Preservation serves as the primary Federal policy advisor to the President and Congress; recommends administrative and legislative improvements for protecting our Nation's heritage; advocates full consideration of historic values in Federal decisionmaking; and reviews Federal programs and policies to promote effectiveness, coordination, and consistency with national preservation policies (ibid.).

Since the Programmatic Agreement will not be included in the Final EIS, no wording change has been made in the EIS document.

MS-3

Comment: Include Saddle Creek Draw, Asphalt, Atchee Wash, and Bitter Creek roads on all maps until R.S. 2477 issues are resolved. (015)

Response: Map 1-1 shows the Saddle Creek Draw, Asphalt, Atchee Wash, and Bitter Creek roads. However, the R.S. 2477 issues associated with these and other roads are part of an ongoing dialog that does not fall within the scope of this NEPA process.

MS-4

Comment: Any closure of newly established or constructed roads should follow Uintah County General Plan, Public Lands Section. (015)

Response: Comment noted. BLM will work closely with Uintah County to ensure that appropriate guidance is followed.

MS-5

Comment: Map 2-2 indicates that roads will be constructed to "eliminated wells." Is this in error? (013)

Response: The eliminated wells shown in Map 2-2 are those proposed under Alternatives 1 and 2, that have been eliminated due to additional environmental considerations and constraints imposed as a part of Alternative 3. This was done to better illustrate differences between the alternatives. The roads on Map 2-2 have been modified to reflect changes in well numbers and locations.

MS-6

Comment: Maps 2-5 and 3-6 do not correspond to the text that states that Alternative 4 includes no new development on federal lands. Is this a mapping error? (013)

Response: BLM notes no errors on Map 2-5 and 3-6. Under the no action alternative (Alternative 4), gas development will continue as it has in the past and rooted in the BCRMP RFD scenario.

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